

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS**

William G. Putnicki  
Clerk of the Court

United States Courthouse  
511 E. San Antonio, Suite 219  
El Paso, Texas 79901

October 24, 2008

U. S. Courthouse  
46 East Ohio Street  
Indianapolis, IN 46204

**IN RE: Our Case Number: EP:08-M-05640M**

**Your Case Number: 1:07CR125-04SEB/KPF**

**U.S.A. vs. JOHN DOE, AKA: FIERRO, TN: JESUS MANUEL FIERRO-Mendez**

**Enclosed please find the following documents pertinent to the removal of the above defendant(s) to your district:**

- (a.) XX Original Order of Removal (with attachments)
- (b.) \_\_\_\_ Original Appearance Bond

Sincerely,

William G. Putnicki, Clerk of Court

by: Mh Molina

Margie N. Molina  
Courtroom Deputy  
To United States Magistrate Judge,  
Richard P. Mesa

RECEIVED  
U.S. MARSHALS

IN THE UNITED STATES DISTRICT COURT  
2008 OCT 22 10:12 AM  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

FILED  
OCT 22 2008  
U.S. MAGISTRATE JUDGE  
FOR THE WESTERN DISTRICT OF TEXAS  
BY [Signature]  
SPECIAL DEPUTY CLERK

W/TX-EL PASO  
UNITED STATES OF AMERICA )

v. )

JOHN DOE )

AKA: FIERRO; )

TN: JESUS MANUEL FIERRO-MENDEZ )

No. 3:08-M-5640-M(1)  
(SD/INDIANA No. 1: 07CR125-04 SEB/KPF)

**DETENTION ORDER**

On this date, a hearing was scheduled on the Government's Motion to Detain Defendant Without Bond. Prior to the hearing, counsel for the Defendant announced to the Court that the Defendant did not contest the Government's Motion.

Accordingly, the Court finds that there are no conditions of release that will reasonably assure the appearance of the Defendant.

It is therefore ORDERED that the Defendant be detained without bond and the Defendant is hereby committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.

It is further ORDERED that the Defendant shall be afforded a reasonable opportunity for private consultation with counsel.

It is further ORDERED that on order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which the Defendant is confined shall deliver the Defendant to a United States Marshal for the purpose of appearing in connection with any court proceeding.

SIGNED AND ENTERED this the 22nd day of October, 2008.

A true copy of the original, I certify.  
Clerk, U.S. District Court

By [Signature]  
Special Deputy Clerk

[Signature]  
RICHARD P. MESA  
UNITED STATES MAGISTRATE JUDGE

AO 94 (Rev. 8/97) Commitment to Another District

RECEIVED  
U.S. MARSHALS  
UNITED STATES DISTRICT COURT

WESTERN

2008 OCT 22 PM 12:18

**FILED**  
OCT 22 2008  
U.S. MAGISTRATE JUDGE  
FOR THE WESTERN DISTRICT OF TEXAS  
BY **W. H. H. H.**  
SPECIAL DEPUTY CLERK

UNITED STATES OF AMERICA

V.

JOHN DOE

AKA: FIERRO

TN: JESUS MANUEL FIERRO-MENDEZ

W/TX-EL PASO

COMMITMENT TO ANOTHER DISTRICT

DOCKET NUMBER

MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

1:07-CR-125-4-SEB/KPF

3:08-M-5640-M(1)

## CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

☒ Indictment    ☐ Information    ☐ Complaint    ☐ Other (specify)

charging a violation of                      21                      U.S.C. § 841(a)(1) and 846

## DISTRICT OF OFFENSE

United States District Court Southern District of Indiana

## DESCRIPTION OF CHARGES:

Conspiracy to distribute in excess of 5 kilograms of a mixture or substance containing a detectable amount of cocaine, a Schedule II Narcotic Controlled Substance

## CURRENT BOND STATUS:

- ☐ Bail fixed at                      and conditions were not met
- ☐ Government moved for detention and defendant detained after hearing in District of Arrest
- ☐ Government moved for detention and defendant detained pending detention hearing in District of Offense
- ☒ Other (specify) Defendant waived identity hearing and detention hearing

Representation:    ☒ Retained Own Counsel    ☐ Federal Defender Organization    ☐ CJA Attorney    ☐ NoneInterpreter Required?    ☐ No    ☐ Yes    Language:

WESTERN DISTRICT TEXAS

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

October 26, 2007

Date

*Richard P. Mesa*  
RICHARD P. MESA, UNITED STATES MAGISTRATE JUDGE

RETURN

A true copy of the original, I certify.  
Clerk, U.S. District Court

This commitment was received and executed as follows:

By *[Signature]*  
Special Deputy Clerk

DATE COMMITMENT ORDER RECEIVED

PLACE OF COMMITMENT

DATE DEFENDANT COMMITTED

DATE

UNITED STATES MARSHAL

(BY) DEPUTY MARSHAL

RECEIVED  
U.S. MARSHALSIN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISIONW/TX-EL PASO  
UNITED STATES OF AMERICA )

v. )

JOHN DOE )

AKA: FIERRO; )

TN: JESUS MANUEL FIERRO-MENDEZ )

No. 3:08-M-5640-M(1)  
(SD/INDIANA No. 1: 07CR125-04SEB/KPF)FILED  
OCT 22 2008  
U.S. MAGISTRATE JUDGE  
FOR THE WESTERN DISTRICT OF TEXAS  
BY [Signature] SPECIAL DEPUTY CLERK**REMOVAL ORDER**

On October 14, 2008, the above named Defendant appeared before the undersigned having been arrested on a warrant for arrest issued out of the United States District Court for the Southern District of Indiana. The Government filed a Motion to Detain the Defendant Without Bond and an identity hearing and detention hearing were set for October 22, 2008.

On this date came on to be heard the identity hearing and detention hearing. The Defendant executed an Order Regarding Rule 5 Proceedings wherein he waived identity hearing in this case.

After hearing the evidence the Court found Defendant to be the person named in the Indictment and warrant for arrest. The Defendant also waived a detention hearing and understands that by doing so he will be detained in jail without bond while on trial.

The Defendant having had an opportunity to confer with counsel, it is hereby ORDERED that the Marshal Service transport and deliver the Defendant to the Southern District of Indiana at Indianapolis, Indiana.

SIGNED AND ENTERED this the 22nd day of October, 2008.

A true copy of the original, I certify.  
Clerk, U.S. District Court

Richard P. Mesa

RICHARD P. MESA  
UNITED STATES MAGISTRATE JUDGE

By

[Signature]  
Special Deputy Clerk

RECEIVED

IN THE UNITED STATES DISTRICT COURT  
 CLERK OF DISTRICT COURT  
 WESTERN DISTRICT OF TEXAS  
 BY DEPUTY CLERK  
 EL PASO DIVISION

FILED  
 2008 OCT 20 PM 3:4  
 DISTRICT COURT  
 WESTERN DISTRICT OF TEXAS  
 BY DEPUTY

UNITED STATES OF AMERICA )

v. )

No. EP-08-MJ-5640-M

John Doe aka Fierro  
JESUS MANUEL FIERRO

WAIVER REGARDING RULE 5 PROCEEDINGS

I, \_\_\_\_\_, understand that in the  
 \_\_\_\_\_ District of \_\_\_\_\_, I have been charged  
 with violating \_\_\_\_\_. I have  
 been taken before a United States Magistrate Judge who has informed me of the  
 charge(s) and my right to: (1) retain counsel or request the appointment of counsel if  
 I am unable to retain counsel, (2) request transfer of the proceedings to this district  
 pursuant to Rule 20, Fed.R.Crim.P., in order to plead guilty, (3) an identity hearing  
 to determine if I am the person named in the charge and (4) a preliminary examination  
 (unless an indictment has been returned or an information filed) to determine whether  
 there is probable cause to believe an offense has been committed by me, the hearing  
 to be held either in this district or the district of prosecution.

## I HEREBY WAIVE (GIVE UP) MY RIGHT TO:

- ☒ Identity hearing  
☐ Preliminary hearing  
☐ Identity hearing and I have been informed that I have no right to  
 preliminary hearing  
☒ Detention hearing  
☐ Detention hearing in El Paso, but I want a detention hearing in the prosecuting  
 district.

Date

10/20/08

Defendant

Defense Counsel

A true copy of the original, I certify.  
 Clerk, U.S. District Court

By John Doe  
 Special Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

**FILED**  
OCT 17 2008  
U.S. MAGISTRATE JUDGE  
FOR THE WESTERN DISTRICT OF TEXAS  
BY [Signature]  
SPECIAL DEPUTY CLERK

UNITED STATES OF AMERICA

v.

EP-08-MJ-5640-M

(1)JOHN DOE, aka FIERRO  
TN: JESUS MANUEL FIERRO

~~~~~

ORDER GRANTING  
MOTION FOR CONTINUANCE

On this day came on for consideration the Motion for Continuance filed on behalf of Defendant Jose Manuel Fierro and the Court, having considered same, is of the opinion that the following order should be entered.

It is hereby ORDERED that the Defendant's motion be, and the same is, hereby GRANTED as set forth below. The identity and detention hearing is re-scheduled for October 22, 2008, at 9:00a.m.

SIGNED AND ENTERED this 17<sup>th</sup> day of October, 2008.

Richard P. Mesa

RICHARD P. MESA  
UNITED STATES MAGISTRATE JUDGE

A true copy of the original, I certify.  
Clerk, U.S. District Court

By [Signature]  
Special Deputy Clerk

AO 456 (5/85) Notice

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

USA

vs.

**(1) JOHN DOE**  
*Defendant*

§  
§  
§  
§  
§

Case Number: EP:08-M -05640(1) M

**CIVIL / CRIMINAL NOTICE**

TAKE NOTICE That a proceeding in this case has been set for the place, date and time set forth below

**PLACE**

United States Courthouse  
511 E. San Antonio  
El Paso, TX 79901

**ROOM NO.**

Room 444

**DATE AND TIME**

October 22, 2008 @ 9:00 AM

**TYPE OF PROCEEDING**

**IDENTITY/DETENTION (CON'T FROM 10/17/08)**

**RICHARD P MESA**

**U.S. MAGISTRATE JUDGE**

**October 17, 2008**

*Date*

**BY: Margie N. Molina - (915) 534-6717**

**Deputy Clerk**

**TO: Defendant**

**(1) JOHN DOE**

**Defendant's Attorney**

**RUSSELL ABOUD - RETAINED**

**U.S. ATTORNEY**

**U.S. PRETRIAL**

**U.S. PROBATION**

**U.S. MARSHAL**

A true copy of the original, I certify.  
Clerk, U.S. District Court

By

*[Signature]*  
Special Deputy Clerk

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

FILED

2008 OCT 16 PM 3:23

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

\*

\*

VS.

\*

NO. EP-08-M-05640(1)M

\*

(1) JOHN DOE

\*

AKA: FIERRO, TN: JESUS MANUEL FIERRO-Mendez

BY mm  
DEPUTY

MOTION FOR CONTINUANCE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Attorney Russell M. Aboud, and moves this Court to continue the above cause set for IDENTITY/DETENTION hearing on Friday October 17, 2008 at 9:30 a.m. and would show the Court as follows:

I.

This Cause is presently set for IDENTITY/DETENTION on October 17, 2008 at 9:30 a.m.

II.

Counsel respectfully requests an extension of the above mentioned IDENTITY/DETENTION Hearing due to the fact that Defense Attorney has conflict in other cases with the U.S. Courts.

III.

Defense Attorney has discussed this continuance with Assistant U.S. Attorney Russell Leachman, and he has no objections.

A true copy of the original, I certify.  
Clerk, U.S. District Court

By K. D. [Signature]  
Special Deputy Clerk



IV.

A one week continuance is requested.

V.

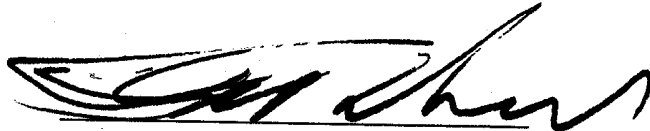
Defendant would request that this cause be set for said IDENTITY/DETENTION hearing on a future date.

VI.

This Motion is not made for delay but that justice may be served.

WHEREFORE PREMISES CONSIDERED, the Movant prays the Court grant this Motion and Order and that said IDENTITY/DETENTION Hearing be continued to a later date.

Respectfully submitted,



RUSSELL M. ABOUD  
Attorney at Law  
State Bar No. 00819200  
918 E. San Antonio  
El Paso, Texas 79901  
(915) 532-5449  
(915) 533-4564 Facsimile

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Defendant's Motion for Continuance has been delivered to the United States Attorney, El Paso, Texas, on this the 16 day of October, 2008.



RUSSELL M. ABOUD

A true copy of the original, I certify.  
Clerk, U.S. District Court

By   
Special Deputy Clerk

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

FILED  
Oct 14 2008  
Clerk, U.S. District Court  
Western District of Texas

By: mm  
Deputy

UNITED STATES OF AMERICA

vs.

(1) JOHN DOE

AKA: FIERRO, TN: JESUS MANUEL FIERRO-Mendez

§  
§  
§  
§  
§

Case Number:

EP:08-M-05640(1) M

*Rule 5 S/D of Indiana*

*1:07-CR-125-01-SEB/KPF*

Interpreter Required: Yes    No   

**\*PROCEEDINGS SHEET / CRIMINAL NOTICE**

21:846

TAKE NOTICE That a proceeding in this case has been set for the place, date and time set forth below:

|                          |                                        |
|--------------------------|----------------------------------------|
| Place                    | Room No.                               |
| United States Courthouse | 444                                    |
| 511 E. San Antonio       | Date and Time                          |
| El Paso, Texas 79901     | October 17, 2008 at 09:30 AM <u>  </u> |

Type of Proceeding

**IDENTITY/DETENTION**

RICHARD P MESA

UNITED STATES MAGISTRATE JUDGE

October 14, 2008

Initial Appearance Date

Margie N. Molina (915) 534-6717

(BY) DEPUTY CLERK

JOHN DOE

☐ TO RETAIN ATTORNEY

U.S. PROBATION

U.S. PRETRIAL SERVICES

U.S. ATTORNEY

U.S. MARSHAL

AGENCY / DEA - MATT SANDBERG

TEMPORARY DETENTION ORDERED:    BOND: \$   

\* Defendant afforded initial appearance pursuant to Fed. R. Crim. P. 5, informed of charges, penalties, right to remain silent, right to preliminary examination, right to be represented by counsel, and to appointment of counsel if Defendant is financially unable to obtain counsel, and the circumstances under which Defendant may secure pretrial release. Initial Appearance is electronically recorded.

A true copy of the original, I certify.  
Clerk, U.S. District Court

By: [Signature]  
Special Deputy Clerk

AO 458 (Rev. 10/95) Appearance

FILED

United States District Court

OCT 14 2008

Western District of Texas

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY mm  
DEPUTY CLERK

APPEARANCE

v.

~~Los~~ Manuel Ferro-  
Mendez

CASE NUMBER: 08-5640M

To the Clerk of this court and all parties of record:

Enter my appearance as counsel in this case for

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that I am admitted to practice in this court.

10/14/08  
Date

[Signature]  
Signature  
Russell M. Hunt 00819200  
Print Name Bar Number  
918 E. San Antonio  
Address  
E.P. TX 79901  
City State Zip Code  
532-5449 533-4564  
Phone Number Fax Number

A true copy of the original, I certify,  
Clerk, U.S. District Court

By [Signature]  
Special Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

FILED

OCT 14 2008

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY mm  
DEPUTY CLERK

UNITED STATES OF AMERICA )

V. )

JOHN DOE )

aka Fierro )

TN: JESUS MANUEL FIERRO-MENDEZ )

NO. 08-5640M

SOUTHERN DISTRICT OF INDIANA

COURT NO. 1:07-cr-125-01-SEB/KPF

GOVERNMENT'S MOTION TO DETAIN DEFENDANT  
WITHOUT BOND AND MOTION FOR CONTINUANCE

Comes now the United States of America, by and through the United States Attorney for the Western District of Texas, and pursuant to 18 U.S.C. § 3142(e) and (f), files this, its Motion to Detain Defendant Without Bond and Motion for Continuance, and for cause, would respectfully show unto the Court the following:

1. The Defendant is indicted for a violation of the Controlled Substances Act which carries a term of imprisonment of over ten (10) years (Criminal Number 1:07-cr-125-01-SEB/KPF).
2. The Defendant was arrested on a warrant out of the Southern District of Indiana, Indianapolis Division, charging Defendant with Title 21, United States Code, Section 841(a)(1) and 846, Conspiracy to Distribute over 5 kilograms of Cocaine.
3. The Defendant is a foreign national, and, as such, presents a high risk of fleeing to avoid prosecution on this charge.
4. There are no conditions or combination of conditions which will reasonably assure the safety of the community should Defendant be released on bond.

October 14, 2008

A true copy of the original, I certify.  
Clerk, U.S. District Court

By [Signature]  
Special Deputy Clerk

5. There are no conditions or combination of conditions which will reasonably assure the appearance of the Defendant at future court settings.

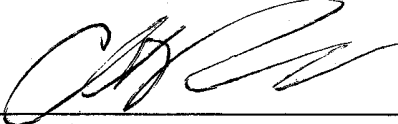
The Government would further move the Court for a three day continuance of the detention hearing from the date of the initial appearance.

WHEREFORE, premises considered, the Government respectfully prays the Court to hold the above-named Defendant without bail pending the final outcome of this case.

Respectfully submitted,

JOHNNY SUTTON  
UNITED STATES ATTORNEY

BY:

  
CRAIG H. RUSSELL  
Assistant U.S. Attorney  
Texas Bar #24069817  
700 E. San Antonio, Suite 200  
El Paso, Texas 79901  
(915) 534-6884

October 14, 2008

A true copy of the original, I certify.  
Clerk, U.S. District Court

By   
Special Deputy Clerk

Feb 29 2008 9:42AM

MARSHAL S/INDIANA INDI 31 267695

P-12

RECEIVED  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
2008 FEB 29 AM 9:25 INDIANAPOLIS DIVISION

SOUTHERN DISTRICT  
OF INDIANA  
INDPLS, INDIANA

FILED  
U.S. DISTRICT COURT  
INDIANAPOLIS DIVISION  
08 FEB 27 PM 6:52  
SOUTHERN DISTRICT  
OF INDIANA  
LAURA A. BRIGGS  
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

EMIGDIO MARTINEZ,

a/k/a Millo,

ALEX LNU,

a/k/a Edgar,

a/k/a Top Dog,

JOHN DOE,

a/k/a Lalo.

JOHN DOE,

a/k/a Fiarro,

JOHN DOE,

a/k/a Cobrita,

JOSE MERAZ,

a/k/a Chema,

ROBERTO ESPINOZA,

a/k/a Negrilo,

BALTAZAR URQUIDI,

CRUZ SAENZ,

SERGIO LEON-MORENO,

a/k/a Checo,

MANUEL MASCORRO-GUERRERO,

a/k/a Pedro,

CARRERA CAMILO,

a/k/a Camilo Carrera

PEDRO MENDOZA,

a/k/a Tocayo,

RAMIRO GONZALEZ,

JOHN SMITH,

QUINTON DEWS,

a/k/a Michael,

MIGUEL MENDOZA,

a/k/a Barragon,

CARLOS H. MARTINEZ,

a/k/a Erik Ortega-Sanchez, and

PERLA ROCHA,

CAUSE NO. 1:07-cr-125-01-SEB-KPF

-02

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Feb 29 2008 9:42AM

MARSHAL S/INDIANA INDI 3' 7287885

P. 12

a/k/a Perla Recendiz,

Defendants.

**SUPERSEDING INDICTMENT**

**COUNT ONE**

The Grand Jury charges that:

Beginning in or around April, 2007, the exact date being unknown to the Grand Jury, and continuing up to and including September 11, 2007, in the Southern District of Indiana, Indianapolis, and elsewhere, EMIGDIO MARTINEZ, a/k/a Millo, ALEX LNU, a/k/a Edgar, a/k/a Top Dog, JOHN DOE, a/k/a Lalo, JOHN DOE, a/k/a Fierro, JOHN DOE, a/k/a Cobrita, JOSE MERAZ, a/k/a Chema, ROBERTO ESPINOZA, a/k/a Negrto, BALTAZAR URQUIDI, CRUZ SAENZ, SERGIO LEON-MORENO, a/k/a Chaco, MANUEL MASCORRO-GUERRERO, a/k/a Pedro, CARRERA CAMILO, a/k/a Camilo Carrera, PEDRO MENDOZA, a/k/a Tocayo, RAMIRO GONZALEZ, JOHN SMITH, QUINTON DEWS, a/k/a Michael, MIGUEL MENDOZA, a/k/a Barragon, CARLOS H. MARTINEZ, a/k/a Erik Ortega-Sanchez, and PERLA ROCHA, a/k/a Perla Recendiz, defendants herein, did knowingly conspire together and with diverse other persons, known and unknown to the Grand Jury, to distribute in excess of 5 kilograms of a mixture or substance containing a detectable amount of cocaine, a Schedule II, Narcotic Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 846.

Feb 29 2008 9:43AM MARSHAL S/INDIANA INDI 317267695

P. 14

MANNER AND MEANS

1. During the charged conspiracy, EMIGDIO MARTINEZ, ALEX LNU, "Lalo," and "Fierro," residents of Juarez, Mexico, obtained cocaine and caused the cocaine to be transported to Indianapolis, Indiana for future distribution.
2. "Cobrita" coordinated the activities of various drug couriers who transported cocaine from El Paso, Texas to Indianapolis.
3. JOSE MERAZ, ROBERTO ESPINOSA, BALTAZAR URQUIDI, SERGIO LEON-MORENO, and MIGUEL MENDOZA transported cocaine from the El Paso, Texas area to Indianapolis. MERAZ, ESPINOSA, LEON-MORENO, MENDOZA, and CRUZ SAENZ transported drug proceeds from Indianapolis to the El Paso area.
4. MANUEL MASCORRO-GUERRERO operated a cocaine trafficking cell in Indianapolis and distributed the cocaine to customers in Indianapolis and Cincinnati, Ohio.
5. JOHN SMITH, a resident of Indianapolis, transported cocaine from Indianapolis to Cincinnati for MASCORRO-GUERRERO.
6. QUINTON DEWS, a resident of Cincinnati, distributed cocaine in the Cincinnati area. CARLOS MARTINEZ and PERLA ROCHA distributed cocaine in the Indianapolis area.
7. CARRERA CAMILO, PEDRO MENDOZA, and RAMIRO GONZALEZ assisted MASCORRO-GUERRERO by helping offload cocaine shipments that arrived in Indianapolis, weighing and packaging cocaine for distribution, and counting drug proceeds.



10/10/2008 11:00 0172200072

DEA INDFLS IN

PAGE 06/10

Feb 29 2008 9:43AM MARSHAL S/INDIANA INDI 3' 267685

P-15

### OVERT ACTS

The defendants performed numerous overt acts during the course of the conspiracy, including, but not limited to, the following:

1. On or about July 21, 2007, ROCHA asked MASCORRO-GUERRERO to deliver one (1) kilogram of cocaine to her for redistribution.
2. On or about July 21, 2007, CARLOS MARTINEZ agreed to purchase one (1) kilogram of cocaine from MASCORRO-GUERRERO for \$21,000 in United States currency.
3. On or about July 28, 2007, "Pietro" acquired a quantity of cocaine for distribution and caused the cocaine to be delivered to LEON-MORENO for transportation to Indianapolis.
4. On or about July 28 and 29, 2007, LEON-MORENO transported cocaine from the El Paso area to Indianapolis for distribution.
5. On or about July 30, 2007, MASCORRO-GUERRERO transferred cocaine to SMITH in Indianapolis. SMITH transported the cocaine from Indianapolis to Cincinnati and delivered the cocaine to DEWS for distribution.
6. On or about August 3, 2007, ALEX LNU obtained cocaine for transportation from the El Paso area to Indianapolis.
7. On or about August 4, 2007, "Cobrita" arranged for ESPINOSA to transport cocaine from the El Paso area to Indianapolis.

10/14/2008 12:00 01/22/2008

USA INDIANA INDI

PAGE 01/10

Feb 25 2008 9:43AM

MARSHAL S/INDIANA INDI 31 267695

p. 16

8. On or about August 5, 2007, JOSE MERAZ agreed to transport cocaine to Indianapolis for MASCORRO-GUERRERO.
9. On or about August 6 and 7, 2007, ESPINOSA transported cocaine from El Paso to Indianapolis. On or about August 7, 2007, ESPINOSA offloaded the cocaine at 4020 Rockville Road, Indianapolis.
10. On or about August 6 and 7, 2007, CAMILO rented a U-Haul van to transport cocaine.
11. On or about August 7, 2007, GONZALEZ helped offload a quantity of cocaine at 4020 Rockville Road, Indianapolis.
12. On or about August 8, 2007, "Lalo" obtained a quantity of cocaine and caused the cocaine to be transported to Indianapolis by MIGUEL MENDOZA.
13. On or about August 8, 9, and 10, 2007, MIGUEL MENDOZA transported cocaine from the El Paso area to Indianapolis.
14. On or about August 10, 2007, PEDRO MENDOZA and CAMILO obtained cocaine from MIGUEL MENDOZA and transported the cocaine to 4020 Rockville Road, Indianapolis.
15. On or about August 14, 2007, MIGUEL MENDOZA possessed approximately \$500,000 in Ohio that he attempted to transport from Indianapolis to the El Paso area.
16. On or about August 28, 2007, PEDRO MENDOZA possessed approximately \$502,000 in United States currency at 5417 Greenfield Avenue, Indianapolis.

Feb 28 2008 9:43AM

MARSHAL S/INDIANA INDI 2 2267695

p.17

17. On or about September 7, 2007, SAENZ attempted to collect approximately \$500,000 in United States currency from MASCORRO-GUERRERO for delivery to ALEX LNU.
18. On or about September 7, 2007, EMIGDIO MARTINEZ caused approximately twenty-eight (28) kilograms of cocaine to be transferred to URQUIDI for transportation from the El Paso area to Indianapolis.
19. On or about September 11, 2007, URQUIDI possessed approximately twenty-eight (28) kilograms of cocaine in Indianapolis.

#### FORFEITURE

1. The allegations in Count One of this Indictment are realleged as if fully set forth here, for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853, and Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(e).
2. If convicted of the offense set forth in Count One, EMIGDIO MARTINEZ, a/k/a Millo, ALEX LNU, a/k/a Edgar, a/k/a Top Dog, JOHN DOE, a/k/a Lalo, JOHN DOE, a/k/a Fierro, JOHN DOE, a/k/a Cobrita, JOSE MERAZ, a/k/a Chama, ROBERTO ESPINOZA, a/k/a Negrito, BALTAZAR URQUIDI, CRUZ SAENZ, SERGIO LEON-MORENO, a/k/a Chcco, MANUEL MASCORRO-GUERRERO, a/k/a Pedro, CARRERA CAMILO, a/k/a Camilo Carrera, PEDRO MENDOZA, a/k/a Tocayo, RAMIRO GONZALEZ, JOHN SMITH, QUINTON DEWS, a/k/a Michael, MIGUEL MENDOZA, a/k/a Barragon, CARLOS H. MARTINEZ, a/k/a Erik Ortega-Sanchez, and PERLA ROCHA, a/k/a Perla Recendiz defendants herein, shall forfeit to the United States any and all property,

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real or personal, constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the offense set forth in Count One, and any and all property, real or personal, used or intended to be used in any manner or part to commit and to facilitate the commission of the offense set forth in Count One of this Indictment.

3. Pursuant to Title 21, United States Code, Section 853(p), the court shall order the forfeiture of any other property of the defendants, up to the value of any property described in paragraph 2, if, by any act or omission of the defendants, the property described in paragraph 2, or any portion thereof:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty.

In keeping with the foregoing, it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of all forfeitable property as described above in Paragraph 2.

4. If convicted of the offense set forth in Count One, EMIGDIO MARTINEZ, a/k/a Mello, ALEX LNU, a/k/a Edgar, a/k/a Top Dog, JOHN DOE, a/k/a Lalo, JOEN DOE, a/k/a Pierro, JOHN DOE, a/k/a Cobrita, JOSE MERAZ, a/k/a Chema, ROBERTO ESPINOZA, a/k/a Negrito, BALTAZAR URQUIDI, CRUZ SAENZ, SERGIO LEON-MORENO, a/k/a Chero, MANUEL MASCORRO-GUERRERO, a/k/a Pedro, CARRERA CAMILO, a/k/a Camilo Carrera, PEDRO MENDOZA, a/k/a Tocayo, RAMIRO GONZALEZ, JOHN SMITH, QUINTON DEWS, a/k/a Michael, MIGUEL MENDOZA,

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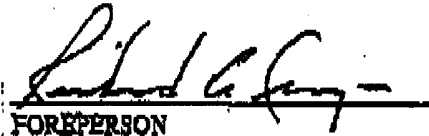
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a/k/a Barragon, CARLOS H. MARTINEZ, a/k/a Erik Ortega-Sanchez, and PERLA ROCHA,  
a/k/a Perla Recendiz, defendants herein, shall also forfeit to the United States, pursuant to  
Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section  
2461(c), any firearm or ammunition involved in or used in any of the offenses set forth in  
Count One.

~~A TRUE BILL:~~  
FOREPERSON

TIMOTHY M. MORRISON  
Acting United States Attorney

By:

  
Bradley A. Blackington  
Assistant United States Attorney

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**SEALED****United States District Court****SOUTHERN DISTRICT OF INDIANA**

UNITED STATES OF AMERICA

V.

JOHN DOE,

a/k/a Fierro

**WARRANT FOR ARREST**

CASE NUMBER: 1:07-125-cr-04 B/I

To: The United States Marshal  
and any Authorized United States OfficerYOU ARE HEREBY COMMANDED to arrest JOHN DOE, a/k/a Fierro and bring him or her  
forthwith to the nearest magistrate to answer a(n)☒ Indictment ☐ Information ☐ Complaint ☐ Order of Court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

conspiracy to distribute in excess of 5 kilograms of a mixture or substance containing a detectable amount of  
cocaine, a Schedule II, Narcotic Controlled Substancein violation of Title 21 United States Code, Section(s) 841(a)(1) & 846

Laura A. Briggs

Name of Issuing Officer

Clerk, United States District Court

Title of Issuing Officer

Signature of Issuing Officer

October  
September 2, 2007 Indianapolis

Date and Location

(By) Deputy Clerk

by

Name of Judicial Officer

Bail fixed at \$

**RETURN**

This warrant was received and executed with the arrest of the above-named defendant at

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

SEALED

# United States District Court

SOUTHERN DISTRICT OF INDIANA

UNITED STATES OF AMERICA  
V.  
JOHN DOE,  
a/k/a Fierro

WARRANT FOR ARREST

CASE NUMBER: 1:07-125-cr-04 B/F

To: The United States Marshal  
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YOU ARE HEREBY COMMANDED to arrest JOHN DOE, a/k/a Fierro and bring him or her forthwith to the nearest magistrate to answer a(n)

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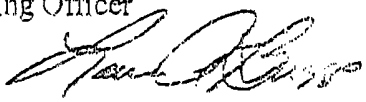
charging him or her with (brief description of offense)

conspiracy to distribute in excess of 5 kilograms of a mixture or substance containing a detectable amount of cocaine, a Schedule II, Narcotic Controlled Substance


in violation of Title 21 United States Code, Section(s) 841(a)(1) & 846

Laura A. Briggs  
Name of Issuing Officer

Clerk, United States District Court  
Title of Issuing Officer

  
Signature of Issuing Officer

October  
September 2, 2007 Indianapolis  
Date and Location

  
(By) Deputy Clerk

by \_\_\_\_\_  
Name of Judicial Officer

Bail fixed at \$ \_\_\_\_\_

## RETURN

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

|                |                                     |                                |
|----------------|-------------------------------------|--------------------------------|
| DATE RECEIVED  | NAME AND TITLE OF ARRESTING OFFICER | SIGNATURE OF ARRESTING OFFICER |
| DATE OF ARREST |                                     |                                |